

EV757106820US

IAP10 Rec'd PCT/PTO 28 DEC 2005

PTO-1390 (Rev. 02-2005)

Approved for use through 3/31/2007. OMB 0851-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL LETTER TO THE UNITED STATES</b>		<b>ATTORNEY'S DOCKET NUMBER</b>
<b>DESIGNATED/ELECTED OFFICE (DO/EO/US)</b>		02-728-L (400,166US)
<b>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		10/562581
<b>INTERNATIONAL APPLICATION NO.</b> PCT/US04/020516	<b>INTERNATIONAL FILING DATE</b> 25 June 2004	<b>PRIORITY DATE</b> 27 June 2003
<b>TITLE OF INVENTION</b> RNA Interference Mediated Treatment of Alzheimer's Disease Using Short Interfering Nucleic Acid (siNA)		
<b>APPLICANT(S) FOR DO/EO/US</b> James McSwiggen et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li><input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li><input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 35 (35 U.S.C. 371 (c)(5)).</li> </ol>		
Items 11 to 20 below concern document(s) or information		
<ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input type="checkbox"/> A preliminary amendment.</li> <li><input checked="" type="checkbox"/> An application Data Sheet under 37 CFR 1.76.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li><input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li><input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> Other items or information:</li> </ol>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. <b>10/582581</b>		INTERNATIONAL APPLICATION NO. <b>PCT/US04/020516</b>		ATTORNEY'S DOCKET NUMBER <b>02-728-L (400.166US)</b>	
The following fees are submitted:				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee ..... \$300				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). ..... \$100 All other situations ..... \$200				\$ 200.00	
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100 International Search Report prepared and provided to the Office ..... \$400 All other situations ..... \$500				\$ 400.00	
<b>TOTAL OF 21, 22 and 23 =</b>				\$ 900.00	
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
232 - 100 =	132 /50 =	3	x \$250.00	\$ 750.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	35 - 20 =	15	x \$50.00	\$ 750.00	
Independent claims	1 - 3 =	0	x \$200.00	\$ 0.00	
Multiple Dependent Claims (if applicable) <input type="checkbox"/>			+ \$360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 2,400.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 1,200.00	
<b>SUBTOTAL =</b>				\$ 1,200.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$ 1,200.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$ 1,200.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$1,200.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account <u>13-2490</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Lisa M.W. Hillman McDonnell Boehnen Hulbert and Berghoff LLP 300 S. Wacker Drive Chicago, IL 60606					
12-27-05				SIGNATURE	
				Lisa M.W. Hillman	
				NAME	
				43,673	
				REGISTRATION NUMBER	

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10/562561

- PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No.: 02-728-L (400/166US))

In the Application of:

McSwiggen, et al.

Serial No.: TBA

Filed: Herewith

For: RNA Interference Mediated Treatment of  
Alzheimer's Disease Using Short Interfering  
Nucleic Acid (siNA)

Art Group: TBA

Examiner: Not assigned

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

1. The Compact Disc contained herein "02-728-L (400.166US) Sequence Listing.ST25") submitted under 37 C.F.R. § 1.52(e):

- ☒ Is formatted for IBM-PC Machines
- ☒ Is compatible with MS-Windows Operating System
- ☒ Contains the file "02-728-L (400.166US) Sequence Listing.ST25" which is 672,664 bytes in size and was created on 11/29/05.


2. Statement under 37 C.F.R. § 1.52(e)(4): The undersigned certifies that the original CD-R submitted herein, titled "02-728-L (400.166US) Sequence Listing.ST25" (COPY 2) and the copy CD-R entitled "02-728-L (400.166US) Sequence Listing.ST25" (COPY 1) are identical in content as required by C.F.R. § 1.52(e)(4).

Respectfully submitted,

McDonnell Bochnen Hulbert & Berghoff LLP

Dated: December 27 2005

By

  
Lisa M. W. Hillman  
Reg. No. 43,673

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Doc Code: CDCHECK

**This form is to be used for PCT CD's  
that are readable.**

**ACKNOWLEDGEMENT OF RECEIPT OF FILES ON COMPACT DISC**

The files indicated on the attached transmittal document were received by the USPTO, opened on a USPTO computer and were readable in accordance with 37 CFR 1.52 (e) (7).

Karen Smith (name of tester) 1-4-2006 (date)